

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

Eolas Technologies Incorporated,

Plaintiff,

v.

Adobe Systems Inc., Amazon.com, Inc.,  
Apple Inc., Argosy Publishing, Inc.,  
Blockbuster Inc., CDW Corp.,  
Citigroup Inc., eBay Inc., Frito-Lay, Inc.,  
The Go Daddy Group, Inc., Google Inc.,  
J.C. Penney Company, Inc., JPMorgan  
Chase & Co., New Frontier Media, Inc.,  
Office Depot, Inc., Perot Systems Corp.,  
Playboy Enterprises International, Inc.,  
Rent-A-Center, Inc., Staples, Inc., Sun  
Microsystems Inc., Texas Instruments Inc.,  
Yahoo! Inc., and YouTube, LLC,

Defendants.

Case No. 6:09-cv-446-LED

JURY TRIAL DEMANDED

**SUN MICROSYSTEMS, INC.'S UNOPPOSED MOTION TO EXTEND TIME TO  
MOVE, ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT FOR  
PATENT INFRINGEMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

I.

NOW COMES, Defendant Sun Microsystems, Inc. ("Sun") without waiving any defenses described or referred to in Rule 12 F.R.C.P., and moves the Court to extend the time within which Sun is required to move, answer, or otherwise respond to Plaintiff's Complaint for Patent Infringement to and including December 17, 2009.

II.

Counsel for Plaintiff, Eolas Technologies Incorporated, is not opposed to this request.

III.

Sun seeks this extension of time not for delay but for good cause and so that justice may be served.

WHEREFORE, Sun respectfully prays that the time to move, answer, or otherwise respond to Eolas Technologies Incorporated's Complaint for Patent Infringement be extended to and including December 17, 2009.

Dated: October 27, 2009

Respectfully submitted,

/s/ Eric H. Findlay

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**Attorney for Defendant Sun Microsystems, Inc.**

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 27, 2009, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/ Eric H. Findlay

Eric H. Findlay